

RESOLUTION CLOSING TWO UNOPENED ALLEWAYS OFF OF KARENDALE AVENUE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close two unopened alleyways off of Karendale Avenue which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close two unopened alleyways off of Karendale Avenue to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alleys, all as required by G.S.160A-299; and

WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S.160A-299; and

WHEREAS, the public hearing was held on the 13th day of May, 2019, and City Council determined that the closing two alleyways off of Karendale Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

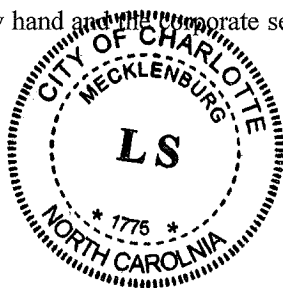
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of May 13th, 2019, that the Council hereby orders the closing of two unopened alleyways off of Karendale Avenue in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of May, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 49, Page(s) 482-486.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of May, 2019.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

THIS SURVEY IS CERTIFIED TO MICHAEL FLAUM:
STATE OF NORTH CAROLINA, Mecklenburg County

I, ANDREW G. ZOUTEWELLE, do hereby certify that this map was drawn from an actual field survey performed under my supervision; that the precision is 1:15,000; that the angular precision is less than 7.5 seconds per angle; that this map is not intended to meet GS 47-30 recording requirements.

Andrew G. Zoutewelle
Andrew G. Zoutewelle, P.L.S. L-3098
1-3-2019
Date

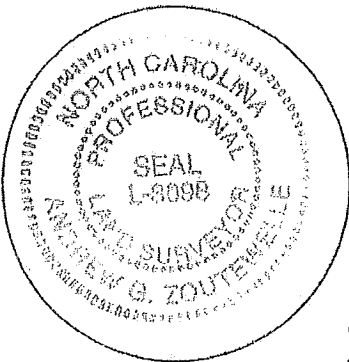
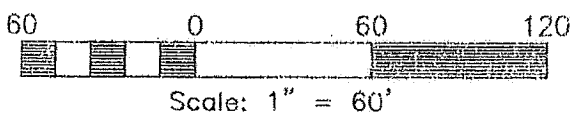
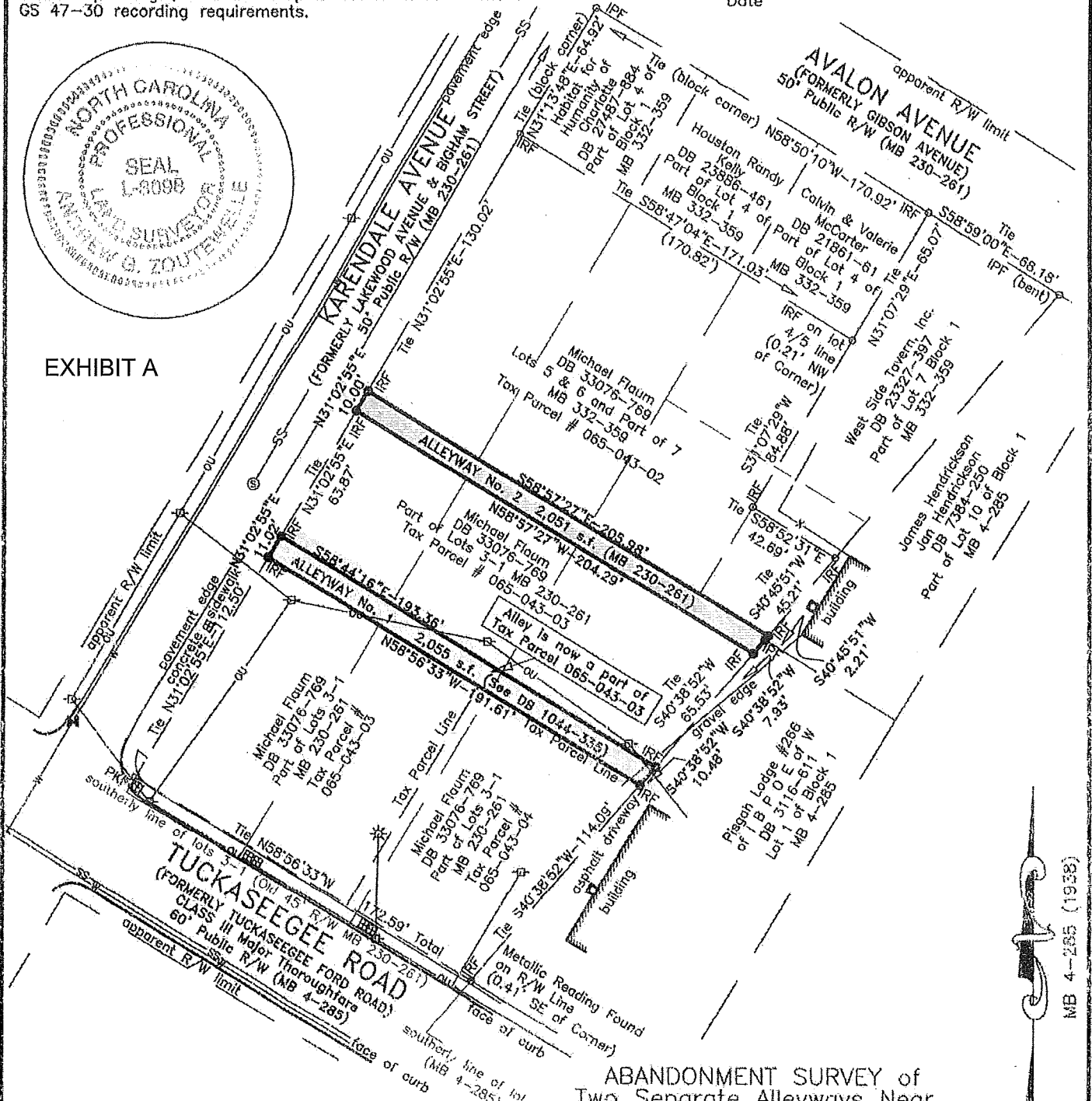


EXHIBIT A



ABANDONMENT SURVEY of
Two Separate Alleyways Near
KARENDALE AVENUE
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for MICHAEL FLAUM

Date of Map: August 10, 2018
ANDREW G. ZOUTEWELLE N.C. PLS L-3098
1418 East 5th Street Charlotte, NC 28204
Telephone 704-372-9444 Fax 704-372-9555

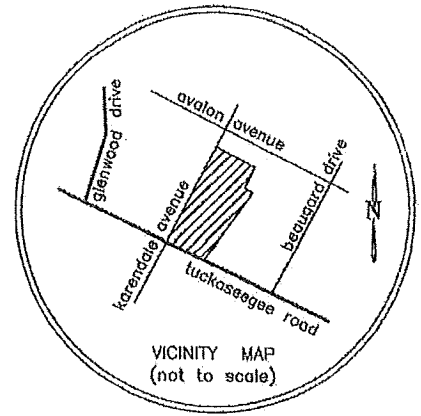
Exhibit A
Sheet 1 of 2

MB 4-285 (1938)

LEGEND

- s.f. square feet (by coordinates)
- IPF/IRF iron pipe/rebar found
- PKF survey nail found
- MB,OB record map and deed references
- R/W right-of-way
- OU- overhead utilities
- X- fence line
- gas meter
- gas valve
- power pole
- light pole
- water valve
- water meter
- sanitary sewer manhole

EXHIBIT A



1. Utilities shown hereon have been located based on: (1) observed surface indications, (2) Charlotte Water Customer Service Maps, and (3) paint designation markings by the North Carolina One-Call Utility Locating Center. Additional utilities may exist. Contractors should contact the North Carolina One-Call Center at 1-800-632-4949 before any digging or excavation is begun.

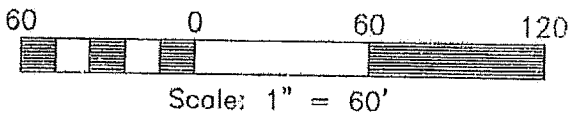
2. The northerly Alleyway No. 2 is shown on Map Book 230 Page 261 and is shown on current GIS mapping. The southerly Alleyway No. 1 is not shown on GIS mapping. Although the area underlying the southerly Alleyway No. 1 was apparently reserved as an alleyway in Deed Book 1044 Page 335, Myrtle Mullins Finlayson appears to have conveyed all of her interest in Block 1 to D.M. Jamieson & Dessie H. Jamieson by Deed Book 1723, Page 8, and no subsequent recorded reference to this alleyway was found. See also Mecklenburg County Tax Map Book 065, Page 04, dated April 4, 1997, which shows the southerly alley as non-existing, and its location within tax parcel 3.



Andrew G. Zoutewelle
1-3-2019

*** CAUTION ***
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN.
THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES
NOT SHOWN HEREON. IT IS THE CONTRACTOR'S
RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
1-800-632-4949



ABANDONMENT SURVEY of
Two Separate Alleyways Near
KARENDALE AVENUE
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for MICHAEL FLAUM

Date of Map: August 10, 2018

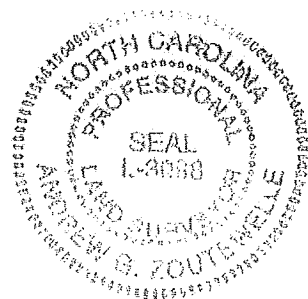
ANDREW G. ZOUTEWELLE N.C. PLS L-3098
1418 East 5th Street Charlotte, NC 28204
Telephone 704-372-9444 Fax 704-372-9555

Exhibit A
Sheet 2 of 2

EXHIBIT B-1
Legal Description
Karendale Avenue Alleyway No. 1

BEING all that certain tract or alleyway located within the City of Charlotte, Mecklenburg County, North Carolina, and being located off the southeasterly side of Karendale Avenue near its intersection with Tuckaseegee Road, and being referenced or described in Deed Book 1044 Page 335 of the Mecklenburg County Registry, and being more particularly described as follows:

BEGINNING at an existing iron rebar ("Beginning Point") located on the southeasterly right-of-way margin of Karendale Avenue, said right-of-way having a width of 50 feet as shown on that certain plat entitled "Glenwood Park" as recorded in Map Book 230 Page 261 of the Mecklenburg County Registry, said Karendale Avenue being formerly known as "Lakewood Avenue", said existing iron rebar Beginning Point being located North 31-02-55 East 112.50 feet from an existing surveyor's pk nail located at the intersection of the southeasterly right-of-way margin of the said Karendale Avenue with the northeasterly right-of-way margin of Tuckaseegee Road, said right-of-way having a width of 60 feet as shown on that certain plat recorded in Map Book 4 Page 285 of the Mecklenburg County Registry, said existing iron rebar Beginning Point being also located the following two (2) calls from an existing iron pipe located at the intersection of the southeasterly right-of-way margin of the said Karendale Avenue with the southwesterly right-of-way margin of Avalon Avenue, said right-of-way having a width of 50 feet as shown on the said plat entitled "Glenwood Park": (1) South 31-13-48 West 64.92 feet to an existing iron rebar and (2) South 31-02-55 West 214.91 feet, and running thence from said POINT AND PLACE OF BEGINNING along the southeasterly right-of-way margin of the said Karendale Avenue North 31-02-55 East 11.02 feet to an existing iron rebar; thence along the northeasterly margin of the tract or alleyway to be abandoned South 58-44-16 East 193.36 feet to an existing iron rebar; thence along the westerly or northwesterly boundary line of Pisgah Lodge #266 of I B P O E of W as described in Deed Book 3116 Page 611 of the Mecklenburg County Registry South 40-38-52 West 10.48 feet to an existing iron rebar; thence along the southwesterly margin of the said tract or alleyway to be abandoned North 58-56-33 West 191.61 feet to the point and place of BEGINNING, containing 2,055 square feet, more or less, as shown on an Abandonment Survey prepared by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated August 10, 2018.



Andrew G. Zoutewelle
1-3-2019

EXHIBIT B-2
Legal Description
Karendale Avenue Alleyway No. 2

BEING all that certain tract or alleyway located within the City of Charlotte, Mecklenburg County, North Carolina, and being located off the southeasterly side of Karendale Avenue near its intersection with Tuckaseegee Road, and being shown on that certain plat entitled "Glenwood Park" as recorded in Map Book 230 Page 261 of the Mecklenburg County Registry, and being and being more particularly described as follows:

BEGINNING at an existing iron rebar ("Beginning Point") located on the southeasterly right-of-way margin of Karendale Avenue, said right-of-way having a width of 50 feet as shown on that certain plat entitled "Glenwood Park" as recorded in Map Book 230 Page 261 of the Mecklenburg County Registry, said Karendale Avenue being formerly known as "Lakewood Avenue", said existing iron rebar Beginning Point being located North 31-02-55 East 187.39 feet from an existing surveyor's pk nail located at the intersection of the southeasterly right-of-way margin of the said Karendale Avenue with the northeasterly right-of-way margin of Tuckaseegee Road, said right-of-way having a width of 60 feet as shown on that certain plat recorded in Map Book 4 Page 285 of the Mecklenburg County Registry, said existing iron rebar Beginning Point being also located the following two (2) calls from an existing iron pipe located at the intersection of the southeasterly right-of-way margin of the said Karendale Avenue with the southwesterly right-of-way margin of Avalon Avenue, said right-of-way having a width of 50 feet as shown on the said plat entitled "Glenwood Park": (1) South 31-13-48 West 64.92 feet to an existing iron rebar and (2) South 31-02-55 West 140.02 feet, and running thence from said POINT AND PLACE OF BEGINNING along the southeasterly right-of-way margin of the said Karendale Avenue North 31-02-55 East 10.00 feet to an existing iron rebar; thence along the northeasterly margin of the alleyway to be abandoned South 58-57-27 East 205.98 feet to an existing iron rebar; thence along the westerly or northwesterly boundary line of James Hendrickson and Jan Hendrickson as described in Deed Book 7384 Page 250 of the Mecklenburg County Registry South 40-45-51 West 2.21 feet to an existing iron pipe; thence along the westerly or northwesterly boundary line of Pisgah Lodge #266 of I B P O E of W as described in Deed Book 3116 Page 611 of the Mecklenburg County Registry South 40-38-52 West 7.93 feet to an existing iron rebar; thence along the southwesterly margin of the said alleyway to be abandoned North 58-57-27 West 204.29 feet to the point and place of BEGINNING, containing 2,051 square feet, more or less, as shown on an Abandonment Survey prepared by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated August 10, 2018.



Andrew G. Zoutewelle
1-3-2019

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON MAY 13, 2019

A motion was made by Councilmember Egleston and seconded by Councilmember Newton for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation (NCDOT) intends to replace the existing Sardis Lane bridge located in the City of Charlotte; and,

WHEREAS, the Municipality has been designated to receive additional funds allocated to the Department by the Federal Highway Administration (FHWA) up to and not to exceed the maximum amount of \$745,600 for the Project; and,

WHEREAS, the Supplemental Municipal Agreement will require \$186,400 in non-federal matching funds; and,

NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Director of the Charlotte Department of Transportation to execute a supplemental municipal agreement with the NCDOT, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of May, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 49, Page(s) 487.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of May, 2019.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessment error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 13th day of May 2019 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

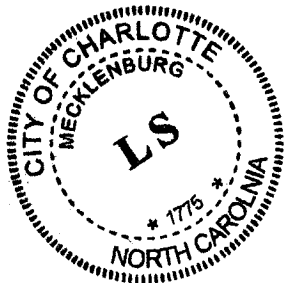
CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of May, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 49, Page(s) 488-489.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of May, 2019.



Stephanie C. Kelly, City Clerk, MMC, NCCMC



May 13, 2019
Resolution Book 49, Page 489
Taxpayers and Refunds Requested

BEREWICK APARTMENTS LLC . (2017)	\$	186.86
BEREWICK APARTMENTS LLC . (2018)	\$	197.01
CASTRO, FLAVIO GUZMAN (2015)	\$	31.31
CASTRO, FLAVIO GUZMAN (2016)	\$	40.40
ESPINO, KATHY ANN	\$	51.32
GALLERIA PARTNERS I, LLC . (2013)	\$	1,059.73
GALLERIA PARTNERS I, LLC . (2014)	\$	1,059.73
GALLERIA PARTNERS I, LLC . (2015)	\$	1,244.62
GALLERIA PARTNERS I, LLC . (2016)	\$	1,244.62
GALLERIA PARTNERS I, LLC . (2017)	\$	1,244.62
GALLERIA PARTNERS I, LLC . (2018)	\$	1,270.62
JOHN PRICE PLUMBING INC (2016)	\$	290.74
JOHN PRICE PLUMBING INC (2017)	\$	268.45
JOYNER, KENNETH LEE	\$	10.40
MARSH REALTY CO INC - OFFICE	\$	8,037.84
PARTRIDGE, TIMOTHY ERIC	\$	45.37
RALEY, KENNETH	\$	234.62
SEDGFIELD PARK HOMEOWNERS ASSOCIATIONS INC	\$	113.10
UNIQUE SOUTHERN ESTATES LLC . (2014)	\$	27.90
UNIQUE SOUTHERN ESTATES LLC . (2015)	\$	28.50
UNIQUE SOUTHERN ESTATES LLC . (2017)	\$	1,430.09
UNIQUE SOUTHERN ESTATES LLC . (2018)	\$	1,470.63
WHITE, ANITA DEVARNEY	\$	221.62
ZEEFF, GEORGE FREDRICK	\$	66.40
	\$	<u>19,876.50</u>

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the BRYANT FARMS ROAD SIDEWALK; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the BRYANT FARMS ROAD SIDEWALK project and estimated to be 700 square feet (.016 acre) in Storm Drainage Easement and 2,029 square feet (.051 acre) in Temporary Construction Easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 223-201-52, said property currently owned by JACK JAIMES AND WIFE, RUTH L. JAMES, vested owners; CARDINAL FINANCIAL COMPANY, Mortgage holder; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Beneficiary and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of May, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 49, Page(s) 490.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of May, 2019.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the BRYANT FARMS ROAD SIDE WALK; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the BRYANT FARMS ROAD SIDEWALK project and estimated to be 1,582 square feet (.036 acre) in fee simple, 145 square feet (.003 acre) in Storm Drainage Easement, 193 square feet (.004 acre) in Sidewalk Utility Easement and 1,054 square feet (.024 acre) in Temporary Construction Easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 223-282-83, said property currently owned by DANA HOEGH-GULDBERG and spouse, NIELS HOEGH-GULDBERG, vested owners; USAA FEDERAL SAVINGS BANK, Mortgage holder; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Beneficiary and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

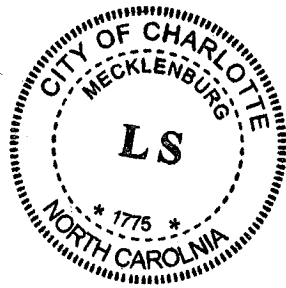
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

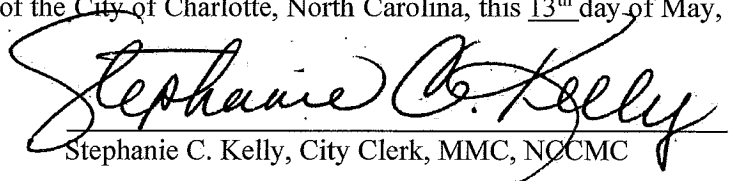
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of May, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 49, Page(s) 491.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of May, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the ONEIDA ROAD SIDEWALK project; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the ONEIDA ROAD SIDEWALK project and estimated to be 26,096 square feet (.599 acre) in fee simple, 8,831 square feet (.203 acre) in Sidewalk and Utility Easement and 3,564 square feet (.082 acre) in Temporary Construction Easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 045-181-04A and 045-181-11, said property currently owned by MOSS SUPPLY COMPANY, vested owner; C&R LEASING COMPANY, lessee and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of May, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 49, Page(s) 492.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of May, 2019.



Stephanie C. Kelly
Stephanie C. Kelly, City Clerk, MMC, NCCMC